



Building Safety Act 2022

2022 CHAPTER 30

PART 4

HIGHER-RISK BUILDINGS

Residents' etc duties

97 Access to premises

- (1) This section applies where —
- (a) an accountable person for an occupied higher-risk building makes a request to a relevant person to enter relevant premises,
 - (b) the request is made for the purpose of—
 - (i) facilitating the performance of a duty under section 83 or 84 (assessment of building safety risk etc), or
 - (ii) determining whether a duty under section 95 (duties on residents and owners) has been contravened,
 - (c) the request is within [subsection \(2\)](#), and
 - (d) entry to the premises is not given.
- (2) A request is within [this subsection](#) if it—
- (a) is in writing,
 - (b) sets out the purpose for which it is made,
 - (c) contains an explanation of why it is necessary to enter the premises for that purpose,
 - (d) requests access to the premises at a reasonable time, and
 - (e) is made at least 48 hours before the time mentioned in [paragraph \(d\)](#).
- (3) The accountable person may apply to the county court for an order—
- (a) requiring the relevant person to allow the accountable person, or a person authorised by the accountable person, to enter the relevant premises at a reasonable time for the purpose mentioned in the request, and

Changes to legislation: There are currently no known outstanding effects for the Building Safety Act 2022, Section 97. (See end of Document for details)

- (b) if necessary for that purpose, authorising the taking of measurements, photographs, recordings or samples by the accountable person or authorised person.
- (4) The county court—
- (a) may make an order under [subsection \(3\)\(a\)](#) or [\(b\)](#) if satisfied that it is necessary to do so for the purpose mentioned in the request;
 - (b) must, if it does so, specify a date on which, or in a period within which, the accountable person or authorised person may enter the relevant premises for that purpose.
- (5) In this section—
- “relevant person” in relation to relevant premises means—
 - (a) a resident of those premises who is aged 16 or over;
 - (b) where those premises are controlled but not occupied, a person controlling those premises;
 - (c) in any other case, an owner of those premises;
 - “relevant premises” means any premises in the part of the building for which the accountable person is responsible that are occupied or controlled by—
 - (a) a resident of a residential unit in the building, or
 - (b) an owner of a residential unit in the building.

Commencement Information

- I1** S. 97 in force at Royal Assent for specified purposes, see [s. 170\(2\)\(a\)](#)
- I2** S. 97 in force at 16.1.2024 in so far as not already in force by [S.I. 2024/40](#), [reg. 2\(r\)](#)

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